

Exhibit 16

From: Lutkus, Stacy <Salutkus@mwe.com>
Sent: Monday, November 4, 2024 12:41 PM
To: JAlberto; Ventola, John F.; jmarshall@choate.com; Chad, Simon
Cc: Big Lots – MWE Team; CS - BigLots; Shpeen, Adam L.; Resnick, Brian M.; akratenstein@mwe.com; Asher, Monica; Combs, Chris
Subject: RE: BL - Challenge Period

Dear all:

We write to follow up on the Committee's prior request (below) for an extension of the Challenge Deadline and our subsequent discussions with you.

As you know, beginning on October 17, 2024, the Committee served document requests on each of the Debtors, 1903P, PNC, and Gordon Brothers Retail Partners ("GBRP" and together with the Debtors, 1903P, PNC and GBRP, the "Producing Parties"). After various meet and confer sessions with each of the Producing Parties, the Committee and the Producing Parties were able to avoid significant discovery disputes. To date, the Committee has received a total of 13,105 documents from the Producing Parties and has reviewed the vast majority of documents produced.

Unfortunately, however, the 13,105 produced documents includes only an initial "sample" set of 13 documents from GBRP, which sample set was produced on the evening of November 3. It is the Committee's understanding that that GBRP is reviewing a population of over 17,000 potentially responsive documents. It is the Committee's further understanding that (i) GBRP expects to produce responsive documents from an initial set of 4,411 documents today, but (ii) GBRP does not expect to produce responsive documents from the remaining 12,874 documents until a to-be-determined future date (perhaps as early as Friday, November 8).

As you know, the Committee's prior agreement to a shortened Challenge Deadline was (i) based on a scheduled November 8 sale hearing and (ii) as we stated on the record at the final DIP hearing, contingent upon cooperation from the Producing Parties. Given the foregoing, and as discussed, the Committee needs additional time to evaluate any potential claims ahead of the Challenge Deadline. Based on the number of documents we expect to receive from GBRP and the uncertain timeframe in which we will receive them, the Committee requests that you extend the Challenge Deadline (for the Committee and each of its members) through and including November 22, 2024. The Committee also requests that, given the current Challenge Deadline of November 7 at noon (EST), you agree to an initial extension of the Challenge Deadline through Monday, November 11 at noon so as to avoid the need for the Committee to seek immediate relief from the court.

Separately, we write on behalf of Committee members who have requested to review produced documents. To that end, the Committee requests that you undertake a further review of your produced documents to re-designate as "Confidential" those documents that are acceptable for review by members of the Committee (who, in accordance with the Committee bylaws, (i) are required to keep information received as Committee members confidential and (ii) may be used by the Committee members only in furtherance of their duties as members of the Committee). In the meantime, please confirm that, you agree that professionals for each of the other Committee members may review your production sets on a professionals' eyes only basis.

Please let us know by no later than 5 p.m. (EST) today if you agree to the request for an initial extension of the Challenge Deadline through Monday, November 11 at noon. We are, of course, available to discuss.

Many thanks,
Stacy

STACY A. LUTKUS

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From: Alberto, Justin <JAlberto@coleschotz.com>

Sent: Wednesday, October 30, 2024 8:34 PM

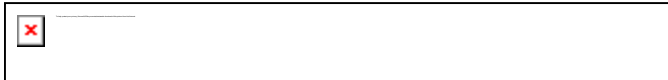
To: Ventola, John F. <jventola@choate.com>; Marshall, Jonathan D. <jmarshall@choate.com>; Chad, Simon <csimon@otterbourg.com>

Cc: Big Lots – MWE Team <BigLotsMWETeam@mwe.com>; CS - BigLots <CS-BigLots@coleschotz.com>; Shpeen, Adam L. <adam.shpeen@davispolk.com>; brian.resnick@davispolk.com

Subject: BL - Challenge Period

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All, our challenge period currently expires November 7th at noon. The November 7th deadline was always triggered off of the sale hearing being the next day. Now that the sale hearing has moved to November 12th and given the fact that we only recently started receiving documents (and have had a number of meet and confers regarding discovery disputes), we are writing to request that the challenge period for the UCC be extended to November 11th at noon. Although we are hopeful that we will not need additional time beyond this date, this extension request is without prejudice to our right to request an additional extension or seek court intervention. Please advise if this is acceptable asap.



JUSTIN ALBERTO

MEMBER

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